

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Alma S. Eady,)	Civil Action No. 1:16-cv-889-JMC
)	
Plaintiff,)	
)	
vs.)	<u>CONSENT ORDER FOR REMAND</u>
)	
Wal-Mart Stores, Inc., and Fred)	
Brown,)	
)	
Defendants.)	
)	

This case was originally filed in the Court of Common Pleas for Barnwell County, South Carolina on February 9, 2016 and was removed to this Court by defendants on March 18, 2016. The removal was made pursuant to 28 U.S.C. §§ 1331, 1332, 1441, 1446 and applicable Local Civil Rules of the United States District Court for the District of South Carolina on the basis that there was diversity of citizenship among the parties and that the amount in controversy exceeded Seventy-Five Thousand and No/100ths (\$75,000.00) Dollars.

Plaintiff has now entered into a stipulation that the total recovery in this case shall be not more than Seventy-Four Thousand Nine Hundred Ninety-Nine and No/100ths (\$74,999.00) Dollars, inclusive of actual and punitive damages, attorneys' fees and costs. Under these circumstances, it appears that this Court lacks subject matter jurisdiction, and that the case should be remanded to the Barnwell County Court of Common Pleas pursuant to 28 U.S.C. 1447(c).

Therefore, upon the Motion of plaintiff and with the consent of the defendants, it is ordered that this case be remanded to the Barnwell County Court of Common Pleas.

IT IS SO ORDERED.

s/J. Michelle Childs
The Honorable J. Michelle Childs
United States District Judge

April 26, 2016

Columbia, South Carolina